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U.S. DISTRICT COURT  
SOUTHERN DIST OHIO  
WEST DIV CINCINNATI

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**V.**

**TRAVIS LENHOFF,**

**Defendant.**

[illegible]

**CASE NO.**

**JUDGE**

**INDICTMENT**

**49 U.S.C. § 46306(b)(5)(A)**

## FORFEITURE ALLEGATION

**1122CR 083**

DLOTT

## THE GRAND JURY CHARGES:

At all times relevant to this Indictment:

1. Major League Baseball (“MLB”) is a professional American baseball league. The Cincinnati Reds is one of the 30 teams within the MLB and is headquartered within the Southern District of Ohio.

## **BACKGROUND AND APPLICABLE LAW**

2. The Federal Aviation Administration (FAA) is an agency within the United States Department of Transportation responsible for the control and use of navigable airspace within the United States. The FAA created the National Airspace System (NAS) to protect persons and property on the ground, and to establish a safe and efficient airspace for civil, commercial, and military aviation. In the FAA Modernization and Reform Act of 2012, the FAA was charged with safely integrating unmanned aircraft systems (UAS), commonly referred to as “drones,” into the NAS.
3. Title 14 (“Aeronautics and Space”), Code of Federal Regulations, § 1.1 defines the following terms used herein:

- a. “Aircraft” means a device that is used or intended to be used for flight in the air.
  - b. “Unmanned aircraft” means an aircraft operated without the possibility of direct human intervention from within or on the aircraft.
  - c. “Small unmanned aircraft” means an unmanned aircraft weighing less than 55 pounds on takeoff, including everything that is on board or otherwise attached to the aircraft.
  - d. “Small unmanned aircraft system” (small UAS) means a small unmanned aircraft and its associated elements (including communication links and the components that control the small unmanned aircraft) that are required for the safe and efficient operation of the small unmanned aircraft in the national airspace system.
4. Pursuant to 14 C.F.R. § 48.15, no person may operate a small UAS unless the drone is registered with the FAA (with limited exceptions) and marked as required under the regulations.
5. Title 49 (“Transportation”), United States Code, § 40103(b)(3) requires the Administrator of the FAA, in consultation with the Secretary of Defense, to establish areas in the airspace the Administrator decides are necessary in the interest of national defense; and by regulation or order, restrict or prohibit flight of civil aircraft that the Administrator cannot identify, locate, and control with available facilities in those areas. A temporary flight restriction (TFR) is a regulation established by the FAA that temporarily restricts certain aircraft from operating within a defined area in order to protect persons or property in the air or on the ground.
6. Pursuant to 49 U.S.C. §§ 40103(b) and 46307, as well as 14 CFR § 99.7, the FAA issued a Temporary Flight Restriction for certain sporting events called NOTAM 0/0367, which states in part:

STADIUM OR SPORTS EVENTS: PURSUANT TO TITLE 14 CFR SECTION 99.7,  
SPECIAL SECURITY INSTRUCTIONS, ALL MANNED AND UNMANNED

2001150001-PERM END PART 1 OF 4 FDC 0/0367 FDC PART 2 OF 4 SECURITY SPECIAL SECURITY INSTRUCTIONS AIRCRAFT OPERATIONS ARE PROHIBITED EXCEPT AS SPECIFIED BELOW WITHIN AN AREA DEFINED AS: 3 NMR OF A QUALIFYING STADIUM OR OTHER SPORTING VENUE HOSTING A QUALIFYING EVENT UP TO AND INCLUDING 3000FT AGL. QUALIFYING LOCATIONS AND EVENTS ARE DEFINED AS ANY STADIUM OR OTHER SPORTING VENUE HAVING A SEATING CAPACITY OF 30,000 OR MORE WHERE: A. A REGULAR OR POST SEASON MAJOR LEAGUE BASEBALL, NATIONAL FOOTBALL LEAGUE, OR NCAA DIVISION ONE FOOTBALL GAME IS OCCURRING.

FDC NOTAM (Notification to Airmen) 0/0367. UAS and drones are specifically subject to NOTAM 0/0367.

7. Title 49, United States Code, § 46307 prohibits a person from knowingly or willfully violating 49 U.S.C. § 40103(b)(3), or a regulation or order issued under § 40103(b)(3).

#### **2022 OPENING DAY**

8. The defendant, **TRAVIS LENHOFF**, is the owner of a UAS later identified as a DJI-Air 2S Serial #3YTBJ8300300PK (hereinafter “the Drone”). A video camera is affixed to the Drone. The Drone is not registered with the FAA.
9. April 12, 2022 was Opening Day for the Cincinnati Reds’ 2022 season, which featured the first game of the season at Great American Ballpark in Cincinnati, Ohio (the “Event”).
10. Accordingly, the area in and around Great American Ballpark was subject to NOTAM 0/0367 Temporary Flight Restriction during the Event. No unauthorized drone could fly within that zone from one hour before the Event until one hour after the Event.
11. During the Event, the defendant, **TRAVIS LENHOFF**, flew the Drone into and through the restricted flight area of Great American Ballpark.
12. On April 12, 2022, during the Opening Day festivities, the defendant, **TRAVIS LENHOFF**, flew the Drone into the bowl of Great American Ballpark.

13. At the time the defendant, **TRAVIS LENHOFF**, operated the Drone at the Event, the Drone was not registered with the FAA.

**COUNT 1**  
**(Operation of Unregistered Drone)**

14. Paragraphs 1 - 13 of the Indictment are incorporated and restated herein.

15. On or about April 12, 2022, the defendant, **TRAVIS LENHOFF**, who owned an aircraft eligible for registration under section 44102, knowingly and willfully operated that aircraft when the aircraft was not registered under section 44103.

**In violation of 49 U.S.C. § 46306(b)(5)(A).**

**FORFEITURE ALLEGATION**

Upon conviction of the offense set forth in Count 1 of this Indictment, the defendant, **TRAVIS LENHOFF**, shall forfeit to the United States, pursuant 49 U.S.C. § 46306(d)(1) and 28 U.S.C. § 2461(c), any aircraft whose use is related to the commission of such violation or to aiding or facilitating the commission of such violation, including but not limited to a DJI-Air 2S Serial #3YTB8300300PK.

A TRUE BILL.

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FOREPERSON

**KENNETH L. PARKER**  
**UNITED STATES ATTORNEY**

  
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**TIMOTHY S. MANGAN, 069287**  
**ASSISTANT UNITED STATES ATTORNEY**